

**Developmental Disabilities Council
Policy & Law Committee Minutes
April 12, 2019**

**Friendly's Restaurant, 350 Dove Run Centre Drive Middletown, DE 19709
9:30am – 11:30 am**

Members Present: Rick Kosmalski (Chair), Maitri Campbell, Terri Hancharick, Diann Jones, Nancy Lemus, Bill Powell, Daniese McMullin-Powell

Members Absent:

Staff Present: Stefanie Lancaster

Guests Present: Debra (Wilmington University Health Science Major student), Moni Edgar (United Cerebral Palsy Client Assistance Program)

- I. Call to Order, Approval of Agenda and Minutes** – Rick Kosmalski called the meeting to order at 9:38 a.m. After little discussion, the agenda and minutes were unanimously approved.

- II. Guest Speaker – Moni Edgar from Client Assistance Program with United Cerebral Palsy** – Moni Edgar from the Client Assistance Program with United Cerebral Palsy came to discuss the following with the committee in an effort to possibly collaborate with the DD Council.
 1. The Client Assistance Program has opened two conference rooms and has offered the space to the DDC free of charge if needed for any meetings in the future. UCP has a location in New Castle County as well in Felton in Kent County.
 2. Moni offered to speak at the Junior Partners in Policymaking program. Information will be shared with Kristin Harvey as she is the Social Services Administrator for the DDC that assists the contractor with coordination of the program.
 3. Moni stated she will be reaching out to Brian Freedman at the LEND Program with the University of Delaware to see if UCP Client Assistance Program can collaborate with them as well.
 4. The mission of the Client Assistance Program is to work with Vocational Rehabilitation consumers to assist them to work through the ILC Centers as a mediator.

- III. Review of position statements – recommendations of edits needed to each**
 1. Assisted Suicide -
 2. Community Living
 3. Subminimum wage

Each of the members that offered to provide recommendations for edits to each of the above DDC position statements did not have updates available

at this meeting but stated that they would bring recommended edits to the next meeting as some of the above are already being reintroduced in this current legislative session.

- IV. Review and discussion regarding FOIA and Open Meeting Laws –** Daniese McMullin-Powell stated upon reviewing the information provided to the P&L Committee members was missing the opinions provided throughout the years from the Attorney General's office. The manual states that you can not join via telephone and vote and that the meeting has to be in a publicly noticed location. The actual statute does not address calling in by phone. There was a case in 2004 where all members of the Odessa town Council were present but one who called in via phone. No votes were taken. At a second meeting, that person voted via phone. The Delaware Attorney General's opinion was that this was not a violation because quorum must be and was present in the room that is open to the public for an additional member to be able to participate via telephone and the person on the phone must clearly hear and be heard by the members.

Daniese stated that the State Council for Persons with Disabilities is working to get legislation to change. It was recommended that a representative from the DD Council participate at SCPD's Policy and Law as well as Council meetings to provide support when needed to pursue changes in legislation as it relates to Open Meeting Laws and the Freedom of Information Act (FOIA).

- V. Other Business From the Group –** Diann Jones stated at that last P&L meeting, she personally disclosed that she has an ADA reasonable accommodation in place to be able to participate via phone when medically necessary. She asked if this information could be shared with the full Council as part of the request was to be able to call into full Council meetings. It was decided that she it would be best for her to attend the next Council meeting and state this information personally during the Five Minute Public Comment period.

- VI. Next Meeting Date –** The Policy and Law meeting will be held on Friday, May 10th at 9:30 a.m. at Friendly's Restaurant in Middletown, DE.

- VII. Adjournment –** The meeting adjourned at 10:40 a.m.